HON'BLE SRI JUSTICE V. ESWARAIAH

W.P.NO. 15250 OF 2007

Between:

Sd. Babu

… Petitioner

and

The Tahsildar, Ozili Mandal,
Nellore District

… Respondent

HON'BLE SRI JUSTICE V. ESWARAIAH

W.P.NO. 15250 OF 2007

ORAL ORDER:

The case of the petitioner is that he belongs to Muslim religion with 'Shaik' community as sub-caste, which community has been recently included in the Backward Class Community. Therefore, the petitioner filed applications dated 9.7.2007 and 12.7.2007 before the 1st respondent-the Tahsildar, Ozili Mandal, Nellore District for the purpose of issuance of community certificate, but the said representations have not been considered and disposed of even though the Village Revenue Officer, Kundam, Ozili Mandal submitted a report stating that the surname of the petitioner was 'Shaik' and not 'Syed'.

Having regard to the facts and circumstances of the case, I am not inclined to express any opinion with regard to the legal entitlement of the petitioner to get a community or caste certificate, as it is for the competent authority to consider and dispose of the same under Rule 5 of the A.P (SC, ST and BCs) Issue of Community, Nativity and Date of birth Certificates Rules, 1997 (for short 'the Rules'). It is for the appropriate/competent

authority to conduct an enquiry after due verification and issue a certificate. But insofar in cases of doubtful claims, it is for the competent authority to refer the matter to the Chairman of the Scrutiny Committee formed at District Level under Rule 8 of the Rules.

With the above observation, the writ petition is disposed. No costs.

V. ESWARAIAH, J

DATE: 24.7.2007
CVM